

Bourgeois Constitution—Past and Present

In the twentieth century, despite its military defeat in Italy and Germany, fascism has attained the character of a general international phenomenon in the capitalist-imperialist world. In the present era, when world capitalism has entered the third phase of general intensive crisis, all the capitalist-imperialist States of the world—in whatever stage of development they may exist, are showing the growing symptoms of fascism. When in the economic field, in the capitalist imperialist States these symptoms are being manifested in the growth of State monopoly capitalism through the coalescence of state capital with private monopoly capital and by making the State subservient to the interest of the monopoly capital—in the political sphere, this is being revealed through the growing negation of democracy, curbing of democratic and fundamental human rights, concentration and centralisation of power in the hand of particular bourgeois organ, preferably the executive headed by a Chief dignity of the State, may be the Prime Minister, or the President of the State, coupled with the attempt to transform the judiciary into an appendage of the executive, devoid of its customary status and power and the traditional heritage of functioning as an organ to check any possible violation of the 'rule of law'—be it by an individual or by any organ of the State, charged with the responsibility of governing the country. Even, sometimes, all these attempts are being made following the "regular democratic means" so to say, within the jurisdiction of the bourgeois constitution, i.e. through the sanctioned "constitutional means" by making suitable amendments in the constitution, even if that bring forth changes in those elements of the bourgeois constitution, once claimed to be constituting the 'basic structure' which the bourgeoisie in their hey day eulogised as to be reflecting the sacred soul and spirit of their democratic republic.

Bourgeoisie replaced rule of person by rule of law

It is known to all the students of history that the present day bourgeois republic was established by the bourgeoisie after fighting against and giving defeat to, the feudal order and absolutism, during a period in history when the bourgeoisie was the standard bearer of democracy, individual liberty and freedom, of course in the bourgeois sense of the term. It was the era of pre-monopoly competitive capitalism, the era of Laissez-Faire economy that permitted free and equal competition for all in the economic field. This pre-monopoly competitive capitalist economic system necessitated the emergence of a new superstructure covering each and every aspect of life. Equality and equal competition (meaning formal equality) in the economic field demanded formal equality of all at least in the eye of law. So, the bourgeoisie fought against and replaced the rule of

person, the rule of arbitrary absolute power of the monarch that marked the era of feudalism by the rule of law.

To any student of jurisprudence the role and significance of the rule of law is amply clear. Of course, in a class divided society the understanding about the rule of law is bound to be based on class outlook.

In a society dominated by the bourgeoisie, the rule of law presupposes, though formal in nature, the equality of all before the eye of law or of equal subjection of all to the law of the land.

The existing "administrative law" (DROIT ADMINISTRATIF) of certain bourgeois countries is in no way opposed to this very idea of the rule of law. Rather according to the jurists, these are nothing but the extension of the very concept of the rule of law. The rule of law also means the supremacy or predominance of regular law as opposed to the in-

(Contd. to Page 2)

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Editor-in-Chief—Shibdas Ghosh

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Observe 28th Anniversary of our Party in a Solemn and Befitting Manner

The Twenty-eighth anniversary of our beloved party, the Socialist Unity Centre of India, born under the leadership of an eminent Marxist thinker of the present era, our revered leader, teacher and the General Secretary Comrade Shibdas Ghosh is near at hand. On this day i.e. 24th April the toiling millions of our country take their pledge anew to strengthen their beloved party, the SUCI as the only hope before them which alone can lead them to emancipation freeing them from the grip and tentacles of capitalist exploitation by fighting against all sorts of anti-working class ideologies and the forces of compromise between labour and capital.

It is on this day that they draw their inspiration from the most difficult and tortuous struggle through

which the party had to pass from its very inception testifying its invincible strength embodied in the correct base political line and the correct leadership of the party concretised and personified through no less a person than Comrade Shibdas Ghosh.

This year the party has decided to make reach the lessons of 24th April, its invaluable significance and the call of COMRADE SHIBDAS GHOSH to every nook and corner of the country, to the teeming millions of our vast land, instead of holding a Central Rally for obvious reasons. The only way to involve more and more people in the month long programme adopted by the party is to give them the opportunity to observe 24th April at village/locality level so that they themselves can participate in huge numbers and can

come forward to organise these functions.

With this end in view the following programme are to be particularly stressed upon:

1. Series of group sittings at village and anchal levels in the countryside and ward & local 'para' levels in the towns.
2. Massive circulation & campaign of emblem-coupon to the people and the fund collection.
3. A systematic and continuous literature selling through mobile squads, book-stalls, door to door sale, individual push sale etc.
4. Attractive banner posting.
5. Solemn ceremonial Foundation Day Observance function on the morning of 24th April by hoisting of Red Flag and other befitting manner.

Censor can't Stifle All Dissent : Court

The press is not only an instrument for disseminating information but a powerful medium for moulding public opinion by propaganda.

The democracy can only thrive in a free clearing house of competing ideologies and philosophies—political, economic and social—and in this the press has an important role to play. The day this clearing house closes down would toll the death-knell of democracy, says a judge-

ment of Bombay High Court.

Censor can't make the press an instrument to brain-wash people

It adds:

It is not the function of the censor acting under the censorship order to make all newspapers and periodicals trim their sail to one wind or to toe along in a single file or to speak in chorus with one voice.

It is not for him to exercise his statutory

power to force public opinion in a single mould or to turn the press into an instrument for brain-washing the public. Under the Censorship Order the Censor is appointed the nursemaid of democracy and not its grave-digger.

Dissent from opinions and views held by the majority and criticism and disapproval of measures initiated by a party in power make for healthy political climate, and it is

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RIGHT TO FREEDOM OF SPEECH AND EXPRESSION WAS BUTTRESSED, AMONG OTHERS BY HABEAS CORPUS ACTS

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fluence of arbitrary absolute power and excludes the existence of arbitrariness or prerogative or even of wide discretionary power or authority on the part of any government or any organ of the state.

The bourgeoisie claimed, "The rule of law is based upon the liberty of the individual and has as its object the harmonising of the opposing notions of individual liberty and public order. The notion of justice maintains a balance between those notions. Justice has a variable content and cannot be strictly defined, but at a given time and place, there is an appropriate standard by which the balance between private interest and the common good can be maintained." (Colloquium on the Rule of Law). The bourgeoisie observed that the rule of law "may be expressed in positive law but essentially it consists of values...; it connotes a climate of legality and of legal order..." (Ibid) And it was with this objective to realise this very principle of the rule of law in practice that the bourgeois jurisprudence claiming at least formal equality of all before the eye of law developed and basing on its very concept, the bourgeois judiciary and the bourgeois legal institutions came into existence and occupied a very important role within the bourgeois constitutional framework to serve as the instrument for the prevalence of the rule of law in the country and to check any possible violation of the same by any authority—be it an individual or any organ of the State. It is for this reason that the judiciary aspired to play a vital role in the bourgeois democratic republic.

Doctrine of separation of power was implemented to prevent infringement by any authority upon free and independent judiciary

The bourgeoisie once implemented the doctrine

of separation of power between the three organs of the state, namely the executive, the judiciary and the legislature. It was guided by the idea that in their democratic system there should be a built-in mechanism of checks and balance and that none of the authoritative organs should have the absolute power, the bourgeois introduced the aforesaid doctrine, though, in reality it could not prevent the emergence of the executive organ of State, as against other organs, as the holder of more power. In all bourgeois countries, whether this doctrine was implemented fully or partially, the bourgeoisie with a view to establishing the rule of law in the country, desired to create a free and independent judiciary, an organ charged with the inescapable duty of preventing the infringement of the rule of law by any authority of the State. The jurisprudence of the then period clearly observed that none, whoever he might be, could interfere with the liberty of a citizen, except on the condition that he could support the legality of his action before a court of justice. In fact the judiciary was given the special power to safeguard the liberty of the citizen against any arbitrary exercise of power by the executive. Even in those countries where an alien imperialist rule was established, the principle that any action by any authority against any person would have to be supported by law and that the judiciary could go in all cases of detention and any other form of interference with personal liberty was generally enforced. And this they considered to be an elementary principle even of their imperialist rule at that period. Even the arch imperialist Churchill, the late ex-Chief Executive of Great Britain once observed: "The principle of complete independence of the judiciary from the executive is the foundation of many things

in our island life.....The judge has not only to do justice between man and man. He also—and this is one of the most important functions.....has to do justice between the citizens and the State. He has to ensure that the administration conforms with the law, and to adjudicate upon the legality of the exercise by the executive of its powers." The bourgeoisie then gave so much emphasis on the need of the existence of a free and independent judiciary that they considered it to be constituting an inseparable and integral part of the basic structure of their Constitution, *written or unwritten* so to say. It was for this very reason that while framing up their constitution they contemplated that a free and independent judiciary would be the main safeguard of the citizen against the authoritarianism of the State or any of its organs. Even in a country having no formal *written* constitution, the bourgeoisie established a free and independent judiciary and empowered it to the extent necessary to work as the bulwark of the liberty of the citizen against any arbitrary action of the executive. A noted jurist of Great Britain, considered to be a country in the bourgeois world with aforesaid tradition, once observed: In "accordance with British jurisprudence no member of the executive can interfere with liberty or property of a British subject, except on the condition that he can support the legality of his action before a court of justice. And it is the tradition of British justice that judges should not shrink from deciding such issues in the face of the Executive." (Justice Atkin)

That apart, the bourgeoisie assigned judiciary the unique position of a "sentinel" to protect the so-called elements of the basic structure of their constitution which they considered to be supreme

to the extent that all institutions of the bourgeois constitution, including the bourgeois parliament were considered to be the creatures of the constitution, none of them was treated as to be its master.

This deserves a thorough examination in view of the concept of the sovereignty of the parliament that has evolved and prevails in some bourgeois countries and also the claim for the supremacy of the parliament that is often raised in certain bourgeois countries now-a-days. The bourgeois parliament is often told to be the sovereign or supreme body at least in regard to the power of making acts and amending the constitution.

Right to freedom of speech and expression was buttressed, among others, by Habeas Corpus Acts

It should, however, be understood that in a bourgeois State, it is none other but the permanent bourgeois State machinery that protects the State, does possess the ultimate and supreme power. Now, in so far as the sovereign legislative power of the bourgeois parliament is concerned, it should have to be kept in mind that in certain bourgeois countries where the parliament evolved through a process of struggle of the then rising bourgeoisie that led the then toiling people, against feudalism and absolutism and at the same time, during its evolution, it worked as one of the powerful instruments in the hand of the bourgeoisie to fight against monarchical rule, it historically emerged as the depository of sovereign legislative power. These could work at least for two reasons. Firstly, in those countries the level of democratic norm and political consciousness of the common people including that of the bourgeoisie who was then yet to be transformed into the arch reactionary bourgeoisie of the present era, acted as a safeguard

against the bourgeois parliament usurping this power in the narrow interest of a particular section or group of bourgeoisie or any individual belonging to the ruling bourgeois party. And secondly, the other important thing that worked as a check against utilising this power for encroaching the liberty of common man was the fact that in these countries the liberty of the citizen found its bulwark in the common law that included "right to freedom of speech and expression", among others, buttressed by the Habeas Corpus Acts, along with the provision that any writ or order in this direction thereof was to be issued by the judiciary empowered with the necessary status and power. In these countries the so-called sovereignty of the parliament did not therefore, stand in the way of the citizen enjoying liberty, of course in the bourgeois sense of the term, so long as that did not go against the basic interest of the bourgeois class. To quote an eminent constitutional expert of such a country where the parliament was being traditionally recognised as to be a sovereign body, "It is true that the supremacy of the parliament means that as a matter of law the authority of administration may be still further extended.... History has shown that in the absolutist state rule by administration is arbitrary. But if the safeguards which protect the exercise of the judicial function are applied to administrative bodies, this result need not follow." (Wade)

Bourgeoisie once upheld: Executive's interference with individual liberty and freedom must stand the test of legality before court of law

Again ".....beyond the elaborate organisation of governmental machinery there rests a fundamental assumption of faith in a

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(Contd. from Page 2)

democratic form of government. This assumption gives rise to belief, sentiment, principle...which firmly rooted in public opinion that there must be no interference by governments and parliaments with freedom of speech and freedom of political association...The appeal to reason must not be restricted by law, for it is the basis of the democratic form of government." (Ibid) Even in such a country, the prevailing condition was, "The fact that the most arbitrary powers of the English executive must always be exercised under Act of parliament places government, even when with the widest authority, under the supervision, so to speak, of the courts. Powers, however, extra-ordinary, which are conferred or sanctioned by statute are never really unlimited, for they are confined by the words of the Act itself, and what is more, by the interpretation put upon the statute by judges. Parliament is supreme legislator, but from the moment parliament has uttered its will as law giver, that will become subject to the interpretation put upon it by the judges of the land..." (Dicey). So, in these countries too the supremacy of the parliament never meant that the elected representatives did possess limitless legislative power and the claim that the elected representatives of the sovereign parliament were entitled to abrogate individual's right and freedom was considered to be the very foundation of a totalitarian state. The bourgeoisie then observed, "If men use their liberty in such a way as to surrender their liberty are they thereafter, nonetheless, slaves? If people by a plebiscite elect a man to be a despot over them, do they remain free because the despotism was of their own making? And the coercive edicts issued by him to be regarded as legitimate because they are the ultimate outcome of their own votes"? (H. Spencer).

Fundamental rights once guaranteed in bourgeois constitution have become first victim with the advent of fascism in different countries

Tyranny of legislature was then an entirely unreal and even an unthinkable phenomenon

The picture again was not exactly identical in all the countries. In the aforesaid countries, where the parliament evolved through a process of struggle against feudalism and absolutism and where for obvious reason a relatively high level of democratic and political consciousness could develop in the country, the bourgeoisie discovered in parliamentary sovereignty, so to say, along with a judiciary buttressed with Habeas Corpus Acts and power to issue writ etc., the panacea of the executive tyranny. To them, for reasons cited above, the tyranny of the legislature was then an entirely unreal and even an unthinkable phenomenon. But, in other countries liberated from the yoke of colonial oppression, where for obvious reason, the parliamentary democratic norm and tradition was yet to attain the stage of full-fledged development, the bourgeoisie was apprehensive of tyranny, not only of the executive but also of the legislature. So, they had to go further than their colleagues of the former countries and to assert that there was a "law" superior to the legislature. The result was what might be termed to be a "judicial supremacy", as opposed to the "Parliamentary supremacy" of the countries mentioned formerly. Again, in certain other countries obtaining different objective conditions where now-a-days very often hue and cry is being raised in favour of 'parliamentary supremacy' particularly the countries where like the countries mentioned earlier, the parliament did not emerge following the tradition and

heritage that the legislature followed during its emergence in countries where traditionally the 'sovereignty of the parliament' so to say, was recognised, the bourgeois constitutional experts, apprehending lest a particular bourgeois political party, after coming to power, might utilise the legislature to realise their narrow sectarian interest, considered it judicious to empower the judiciary with the power to interpret and declare any enactment or any amendment of the constitution, of course if it deems it so, as *ultra vires*. As to why the judiciary should enjoy the right to review any enactment or amendment of the constitution made by the legislature, when the elected body of the legislature was competent enough to examine if that was done in conformity with the basic spirit of the constitution, it was observed that it was not for the idea that the "more knowledge of law does give a judge an idea of the requirements of the society", nor for the presumption that the judges were more competent than the elected legislators, the judiciary was empowered with the aforesaid right to review. It was argued that the entire objective of the constitutional niceties would be defeated if the legislature was to be the judges in its own cause. Because, it is an elementary principle of jurisprudence that no one, however, elited position he may enjoy, can act as a judge in his own case or can decide upon the validity of any law enacted by himself. As monopoly capitalism was then yet to attain full-fledged character, and as to a certain extent, free competition was still prevalent, the bourgeoisie in these countries for their own interest spoke highly

of and remained quite satisfied with such constitutional provisions and practices.

Fundamental rights once guaranteed in bourgeois constitution have become first victim with the advent of fascism in different countries

In spite of the differences that prevailed in the detail of constitutional frameworks of different bourgeois countries, the bourgeoisie in general once considered, what they termed to be the 'basic structure' of their constitution, unalterable and they had then the firm belief that 'Parliament can amend any part of the constitution subject only to the restriction viz. that the power cannot be used to alter or destroy the basic structure or framework of the constitution.'

Now, in this regard, even it becomes somewhat a repetition of what has been mentioned earlier, we think it fit to draw one's attention to one particular aspect of this 'basic structure' of the bourgeois constitution. Despite the variations in detail of constitutional framework or niceties the then bourgeoisie in different countries considered certain rights as inviolable, termed them 'fundamental human rights' or treated them to constitute what was called a 'Bill of Rights.' They considered these human rights to be constituting the part and parcel of the basic structure of their constitution and empowered the free and independent judiciary to safeguard these what they termed 'inviolable' rights.

This deserves special mentioning in view of the fact that while the bourgeoisie once considered these particular rights to be inviolable, now-a-days in

the capitalist-imperialist world, it is this particular democratic right that becomes the first victim with the advent of fascism.

In the dawn of the bourgeois democratic revolution, the bourgeoisie who then upheld democracy in their constitution, whether written or unwritten attempted to guarantee what they termed as fundamental rights to ensure justice—social, economic and political, freedom of press, liberty of thought, expression, belief, faith, equality of status and opportunity etc. It was argued that the very objective of making the fundamental right an integral element of the basic structure of the constitution, was to place beyond the reach of the executive or any other organ of the State certain human rights, such as right to life, liberty, free speech, free press etc. and to establish them as part and parcel of the legal principles or legality to be applied alone by the judiciary. The bourgeoisie then observed that even under a civil government, the legislature, termed to be a representative body of the electors of the country could not always be trusted for the custody of citizens rights, even in a democratic republic. And it was solely against the danger of legislative interference and executive aggression that the declaration of the basic human rights was once stated to have been directed. It was a time when the bourgeoisie considered these rights as to be inalienable. To quote an eminent bourgeois constitutional expert, ".....we all believe—and that is the implication of fundamental rights—that man has certain rights that are inalienable and cannot be questioned by any humanly constituted legislative authority....." Another observed, "Nothing is then unchangeable but the inherent and inalienable rights of man" (Jefferson).

While advocating the incorporation of these rights into the constitution, it was observed, "If

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(Contd. from Page 3)

they are incorporated into the constitution, independent tribunals of justice will consider themselves in a peculiar manner the guardians of those rights; they (the courts) will be an impenetrable bulwark against every assumption of power in the Legislative or Executive; they will be naturally led to resist every encroachment upon rights expressly stipulated for in the constitution by the declaration of rights." (James Madison). The very objective of incorporating these rights, stated to be constituting. The Bill of Rights in certain countries, in the form of written code in the constitution was clearly spelled out when it was observed that, "It must be conceded that there are such rights in every free government beyond the control of the state. A government which recognised no such rights, which held the lives, the liberty, and the property of its citizen subject at all times to the absolute disposition and unlimited control of even the most democratic depository of power is after all but a despotism. It is true it is a despotism of the majority, if you choose to call it so, but it is none the less despotism." (Justice Miller). Or, to quote Justice Jackson, "The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities...and to establish them as legal principles to be applied by the courts. One's right to life, liberty and property, to free speech, a free press freedom of worship and assembly and other fundamental rights may not be submitted to the vote; they depend on the outcome of no elections."

Once Dean Roscoe Pound observed, "The guarantees of liberty...are not...exhortations as to how government should be carried on or its agencies will operate. They are precepts of the law of the land backed by the power of the courts of law to refuse to give effect to

Unless there is economic equality, equality in real sense of the term cannot be established

legislative or executive acts in derogation there of..... Any considerable infringement of guaranteed individual or minority rights appears to involve much more than overriding a pronouncement of political ethics in a political instrument. It involves defiance of fundamental law; overthrow of established law upon which the maintenance of the general security rests." And it was guided by the idea to realise this objective in practice that the bourgeoisie declared laws to be void if they were found inconsistent with the fundamental rights and empowered the judiciary with such declaratory power.

Even in countries where they did not possess any *written* constitution and for reasons thereof did not have any *written* constitutional code covering the fundamental rights, the right to individual liberty and freedom, freedom of press etc. were considered to be the integral parts of their constitution in the sense that these basic rights being covered by the Common Law of the Land was stated to be secured by the decisions of the judiciary extended and confirmed as they were, by the Habeas Corpus Acts. Once there was a proverb current in the bourgeois world that "The Habeas Corpus Acts declare no principle and define no rights, but they are for practical purposes worth a hundred constitutional articles guaranteeing individual liberty." (Dicey)

In an well-known bourgeois democratic republic the bourgeoisie while framing up the constitution declared in its Preamble that "Men are born and always continue, free and equal in respect of their rights. The end of all political associations is the preservation of the natural and imprescriptible rights of man; and these rights

are liberty, property, security and resistance of oppression." Now since the Preamble was not enforceable in a court of law they thought it prudent to enact an article in the constitution for the protection of individual liberty stating, "No one may be arbitrarily detained. The judicial authority, the guardian of individual liberty, shall ensure the respect of this principle under the conditions stipulated by law."

It was a time when the bourgeoisie did not hesitate to express "... constitutional liberties—freedom of the person and of association, equality before the law and liberty of expression—precede and are the conditions of economic advance and social security—both of which are largely the result of constitutional freedom and cannot be obtained without them. That is why those who throw away constitutional safeguards—elected governments, freedom to oppose, independent courts—in the name of economic advance are ultimately betraying the common man, and depriving him of the chance of social progress and the very things they promise him..... They are the real class traitors—because in the end they impose themselves as masters on those before whom they parade themselves as liberators." (Hailsham)

Unless there is economic equality, equality in real sense of the term cannot be established

From the foregoing discussion none should however think even for a moment that in a bourgeois republic, people irrespective of the class to which they belonged enjoyed equal freedom or equality in all spheres of life. This can never happen. Equality in real sense of the term, covering each and every aspect of life can never be established unless there is

economic equality i.e. unless the country becomes free from economic exploitation of man by man. Since the establishment of bourgeois class rule did not bring about social ownership of production but on the contrary established bourgeois ownership over the entire economic system and brought about a new type of class exploitative rule in the society—not only could economic exploitation be uprooted even the equality offered to the people other than the bourgeoisie was bound to be just a formal equality. Even the judiciary which the bourgeoisie often eulogises, being a part and parcel of the superstructure of the capitalist economic base was bound to serve the interest of the ruling class i.e. the bourgeoisie.

For obvious reasons, the guiding laws, legality and judiciary in a bourgeois State fail to cover the legitimate interests and cause of the oppressed and the exploited people of the society.

But this of course, does not mean that nothing significant came out of the waves of the bourgeois democratic revolution. In the dawn of the bourgeois democratic revolution, during the stage of pre-monopoly capitalism, the bourgeoisie for their own interests, to guarantee free competition among themselves attempted to establish equality and equal freedom for all at least in the eye of law and with a view to doing away with arbitrary, absolute power of the feudal era, replaced the rule of person by the rule of law and established a democratic set up. It was quite obvious that in such an era even the common exploited people of the society, to a certain extent, could enjoy, though of course never on an equal footing with the exploiters, the bourgeoisie, democratic rights and

liberty said to be guaranteed in a bourgeois constitution. And even the judiciary, though basically served the interest of the ruling bourgeois class, no doubt played an important role in safeguarding the democratic right in the society, the liberty of thought, expression, freedom of press, and all other 'freedoms' mentioned in articles of bourgeois constitution.

Fascism is manifesting itself in diverse forms more markedly in the state structure of all capitalist countries—developed or backward

Now any student of history knows it well that the dawn of bourgeois democratic revolution did not continue for ever. Soon, in the course of history, at a particular stage of development of the society, premonopoly competitive capitalist economy gave birth to monopoly capitalism and finance capital. Comrade Shibdas Ghosh, an outstanding Marxist-Leninist thinker of the era, our beloved leader and teacher has brilliantly analysed the phenomena how in the present era with the growth of monopoly capitalism the bourgeoisie in different countries, on the face of growing intensive world-wide crisis of the capitalist economy, to protect their "own existence and reap maximum profit even out of their crisis ridden capitalist economy, are bringing about coalescence of private monopoly capital with the State capital, making the State subservient to the interest of monopoly capital and thereby to the creation of State monopoly capitalism—the rock-bottom economic foundation of fascism. The symptoms of fascism in the economic sphere that are being reflected through these measures of economic centralism, necessarily are also being manifested in the political sphere through concentration and centralisation of political power. It does not matter much through what parti-

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Press Clippings

With reference to Sri Rajeswara Rao's appeal to the CPI(M) to discard its 'blind' anti-Congressism, Comrade (Jyoti) Basu said that "on the question of the ruling party, there was no 'blindness' in our stand. After a study and analysis of the Congress, we have come to the conclusion that it is a bourgeois landlord party serving bourgeois landlord interests, taking the capitalist path of development in compromise with feudalism and foreign monopolists. But among the members and supporters of the Congress there are wide sections who feel concerned about the future of parliamentary institutions and democracy. It must certainly be our task to approach them, along with others, in course of the broad mobilization of the people, which has become so urgent, particularly to-day, when fertile soil is being created for imperialist inspired plots and growing influence of U.S. imperialism and the multinational corporations."

—People's Democracy, 29.2.76.

Professor John Kenneth Galbraith said in an interview recently that the only way to keep inflation under control was to have a large measure of unemployment. Such a solution may not be recommended in India's somewhat different economic situation, but it is significant that the 20 point economic programme makes no rash promises on providing every one with a lucrative work.

—Statesman editorial, 26.2.76.

Speak cautiously in Assembly.

In a meeting organised in the Assembly house Sri Roy (Chief Minister) told his party men to remain cautious enough during the debate in the ensuing budget session. The discussion in no way must tend to be anything like opposing the government.

—Satyajug 21.2.76

Calcutta, 27th February '76: Altogether 9 thousand and 37 persons have been arrested under the D.I.R. and M.I.S.A. in West Bengal

THE TASKS OF THE YOUTH LEAGUES

Speech Delivered at the Third All Russia Congress of the Russian

Young Communist Leagues

(Continued from Last Issue P. Era)

The education of the communist youth must consist, not in giving them suave talks and moral precepts. This is not what education consists in. When people have seen the way in which their fathers and mothers lived under the yoke of the landowners and capitalists; when they have themselves experienced the sufferings of those who began the struggle against the exploiters; when they have seen the sacrifices made to keep what has been won, and seen what deadly enemies the landowners and capitalists are—they are taught by this conditions to become communists. Communist morality is based on the struggle for the consolidation and completion of communism. That is also the basis of communist training, education, and teaching. That is the reply to the question of how communism should be learnt.

We could not believe in teaching, training and education if they were restricted only to the schoolroom and divorced from the ferment of life. As long as the workers and peasants are oppressed by the landowners and capitalists, and as long as the schools are controlled by the landowners and capitalists, the young generation will remain blind and ignorant. Our schools must provide the youth with the fundamentals of knowledge, the ability to evolve communist views independently; they must make educated people of the youth. While they are attending school they must learn to become participants in the struggle for emancipation from the exploiters. The Young Communist League will justify its name as the

within the last two years from January 1974 to January 1976. Mr. Motahar Hossain, the Minister of State for Home Affairs has informed it in the Assembly to-day.

—Satyajug 28.2.76

League of the Young Communist generation only when every step in the teaching, training and education is linked up with participation in the common struggle of all working people against the exploiters. You are well aware that, as long as Russia remains the only workers' republic and the old, bourgeois system exists in the rest of the world, we shall be weaker than they are, and be constantly threatened with a new attack; and that only if we learn to be solidly united shall we win the further struggle and—having gained strength—become really invincible. Thus, to be a Communist means that you must organise and unite the entire young generation and set an example of training and discipline in this struggle. Then you will be able to start build the edifice of communist society and bring it to completion.

V. I. LENIN

To make this clearer to you, I shall quote an example. We call ourselves Communists. What is a Communist? Communist is a Latin word, Communis is the Latin for "common". Communist society is a society in which all things—the land, the factories—are owned in common and the people work in common. That is communism.

Is it possible to work in common if each one works separately on his own plot of land? Work in common cannot be brought about all at once. That is impossible. It does not drop from the skies. It comes through toil and suffering; it is created in the course of struggle. The old books are of no use here; no one will believe them. One's own experience of life is needed. When Kolchak and Denikin were advancing from Siberia and the South the peasants were on their side. They did not like Bolshevism because the

Bolsheviks took their grain at a fixed price. But then the peasants in Siberia and the Ukraine experienced the rule of Kolchak and Denikin, they realised that they had only one alternative; either to go to the capitalists, who would at once hand them over into slavery under the landowners; or to follow the workers, who, it is true, did not promise a land flowing with milk and demanded iron discipline and firmness in an arduous struggle, but would lead them out of enslavement by the capitalists and landowners; When even the ignorant peasants saw and realised this from their own experience, they became conscious adherents of communism, who had gone through a severe school. It is such experience that must form the basis of all the activities of the Young Communist League.

I have replied to the questions of what we must learn, what we must take from the old school and from the old science. I shall now try to answer the question of how this must be learnt. The answer is; only by inseparably linking each step in the activities of the schools, each step in training, education and teaching, with the struggle of all the working people against the exploiters.

I shall quote a few examples from the experience of the work of some of the youth organisations so as to illustrate how this training in communism should proceed. Everybody is talking about abolishing illiteracy. You know that a communist society cannot be built in an illiterate country. It is not enough for the soviet Government to issue an order, or for the Party to issue a particular slogan, or to assign a certain number of the best workers to this task. The young generation itself must take up this work. Communism means that the youth, the young men

and women who belong to the Youth League should say: this is our job; we shall unite and go into the rural districts to abolish illiteracy, so that there shall be no illiterates among our young people. We are trying to get the rising generation to devote their activities to this work. You know that we cannot rapidly transform an ignorant and illiterate Russia into a literate country. But if the Youth League sets to work on the job, and if all young people work for the benefit of all, the League, with a membership of 400,000 youngmen and women, will be entitled to call itself a Young Communist League. It is also a task of the League, not only to acquire knowledge itself, but to help those young people who are unable to extricate themselves by their own efforts from the toils of illiteracy. Being a member of the Youth League means devoting one's labour and efforts to the common cause. That is what a communist education means. Only in the course of such work do youngmen and women become real Communists. Only if they achieve practical results in this work will they become Communists.

Take, for example, work in the suburban vegetable gardens. Is that not a real job of work? It is one of the tasks of the Young Communist League. People are starving; there is hunger in the factories. To save ourselves from starvation, vegetable gardens must be developed. But farming is being carried on in the old way. Therefore more class-conscious elements should engage in this work, and then you will find that the number of vegetable gardens will increase, their acreage will grow, and the results will improve. The Young Communist League must take an active part in this work. Every League and League branch should regard this as its duty.

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(Contd. from Page 4)

ular form of government or ruling system the fascists desire to rule the country, when the aim is always the same i.e. to protect the crisis-ridden capitalist state and capitalist economy, on the face of the growing economic crisis of the capitalist-imperialist world. Because, Comrade Shibdas Ghosh an outstanding Marxist-Leninist thinker, our beloved leader and teacher has once pointed out that, depending upon different objective conditions obtaining in different countries, fascism is manifesting itself in diverse forms more markedly than before in the state structure and administrative set up of all capitalist-imperialist countries, developed or backward.

So it is not necessary at all that fascism should always take the form of one party totalitarian rule, as it did during its first emergence in the history in Italy and Germany and that is why in the present era we are experiencing varied forms of ruling system and administration through which fascism is manifesting and establishing itself. In certain countries this may reveal itself through the form of Westminster form of government with the Prime Minister as the Chief Executive and with an outward show of 'two party' ("Yes" party and "of course" party of the monopolists) democratic set up' whereas in some other country, it may be a Presidential form of government with President replacing the position of the Prime Minister. In underdeveloped capitalist countries, where for the want of all out high development of capitalism, or for evenness in the development of capital, the bourgeoisie to a certain extent has still remained divided in different regional groups, the growing fascist rule is being revealed through the so-called "multi-party parliamentary democratic system" which has nothing to do with the multi-party democracy in the 'period

FASCISTIC DESPOTISM MASQUERADES AS DEMOCRACY

of progressive capitalism mentioned earlier. So, whatever difference may exist in the detail of the form of state structure and the government from one capitalist country to the other, all at present are nothing but the replicas of the fascist rule.

Fascistic despotism masquerades as democracy

Now, whatever outward form they may maintain, the fascists in their bid to concentrate and centralise political power, bring about suitable changes in the bourgeois constitution through amendments. History repeatedly shows that the fascists prefer constitutional means to bring about necessary changes for consolidation and centralisation of political power. Because this helps maintain a facade of democracy and thereby confuse the democratic minded people about the real nature and the motive behind the different constitutional measures, that they adopt to liquidate democracy and erect a fascist dictatorship, in its place. Fascistic despotism masquerades as democracy. Perhaps this is the supreme heresy of present time. And if one follows the different constitutional changes that the fascists in different countries bring forth or propose to bring about, he will find that these measures are majorly directed against what the bourgeoisie once eulogised as the "basic structure" of their constitution and boasted the same to be reflecting the soul and spirit of their democratic republic. It may appear to be an irony of history that the bourgeoisie of the present era are aiming at to bring about changes in that very "basic structure" of the bourgeois constitution, which the bourgeoisie in an earlier period of history not only eulogised but fought hard to establish in the society and considered to be "unalterable and

inviolable" under any circumstances.

Any man with sufficient intelligence can, of course, understand the reason lying behind it. In the era of pre-monopoly competitive capitalism the bourgeoisie upheld their so-called basic structure and considered it to be unalterable; because in that particular era of Laissez-Faire economy the 'basic structure' of the constitution, including among others, admitted fundamental rights with a free and independent judiciary to safeguard the rights and liberty of the citizen guaranteed them free and equal competition at least in the eye of the law in the economic and political field. Whereas at present, the premonopoly competitive capitalism being transformed into monopoly capitalism, when the ruling bourgeois party, attempts to bring about changes in their much-eulogised 'basic structure' the bourgeoisie and particularly the monopolists do never hesitate to lend their support behind the back of the ruling party and its activities. Because they know it very well that in the changed condition, these measures to establish fascistic power and control in the country are being done with the sole object of protecting their state and their crisis ridden economy. So, where one the prevalence of the so-called "basic structure" served the interest of the bourgeois class, at present in the changed circumstances, the existence of the same "basic structure" to a certain extent create hurdle in the way of realisation of the class interest and class motive of the bourgeoisie as a whole.

Now, among the different attempts that are being manifested in different countries to bring about constitutional changes with growth of fascism, one significant move is the growing cur-

tailment of democratic rights, the negation of the fundamental rights said to be promised in a bourgeois constitution.

It was for these democratic rights stated to be promised in their constitution, that the bourgeoisie once eulogised their republic before the world. But soon with the consolidation of the bourgeois exploitative rule it was revealed that a bourgeois democratic republic in the real sense was nothing but a bourgeois dictatorship and the democratic right, the much eulogised fundamental rights inscribed in "golden letters" in their constitution are merely formal rights, not realisable in the life of the oppressed and the exploited people of the bourgeois state. At present even these formal rights seem to pose danger to the ruling bourgeoisie. In the present era of all out growing crisis of the capitalist economy, on the apprehension that the growing intensive nature of exploitative measures adopted by them, to realise maximum profit may face with mighty movement from the exploited people and other oppositional forces, the ruling bourgeoisie loses no time to suspend, curb or completely liquidate even those formal rights.

The glory and fame that once associated with Parliamentary democracy offering democratic and fundamental rights, set up in the era of pre-monopoly capitalism, is destroyed by the bourgeoisie in the era of monopoly capitalism and finance capital.

Side by side with these attempts to curb the democratic, fundamental human rights stated to be promised in a bourgeois constitution with the growth of fascism, one is accustomed to experience serious efforts on the part of the bourgeoisie to introduce other suitable enactments and amendments of their constitution

for complete centralisation and concentration of political power.

The past experience as well as the recent attempts in different countries have shown that all these efforts of centralisation generally lead to the concentration of power in the hand of a Chief Executive, may be the Prime Minister or the President of the bourgeois State through suitable enactment. This high dignitary being placed on the zenith of the power sphere, is vested with supreme power—a power that is above any kind of control by any agency of the State. The Chief Executive being supremely powerful, it is therefore, quite natural that in a fascist State change of power-balance takes place and the executive organ assumes all the powers that the bourgeois constitution once assigned to its different organs. In the new structure the executive including the Council of Ministers instead of remaining any more responsible to legislature, becomes responsible to none else, but only the Chief Executive, and discharges its duty at his sweet will. One may think that contrary to what they did in the past, the bourgeoisie is now engaged to replace the rule of law by the rule of person. But one should not, however, miss the point that this person is not at all a monarch of the past—in fact he is the supreme powerful leader of the bourgeois class the fascist dictator who in the present era of the serious economic crisis of the capitalist-imperialist world, with all the organs of bourgeois State and the creatures of the bourgeois constitution at his service appears as a saviour of the capitalist State and economy. History reminds one of a similar phenomenon that happened in Germany in 1933, when shortly after the election the constitution was amended and the Reichstag passed the Enabling Act that conferred power exclusively on Hitler and his cabinet.

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Even to the bourgeoisie parliament is fast losing its utility

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Even to the bourgeoisie parliament is fast losing its utility

Now let us see what happens to the fate of the legislature, at times claim to be a sovereign body with supreme power that a bourgeois constitution may assign to any of its organs. History tells us that in a fascist State, the legislature either becomes a defunct body, or even if for some reasons, it is kept functioning, it comes down to a secondary position with respect to the executive and remains under the supervision and control of the executive organ headed by the Chief Executive of the State. It is a fact that in some capitalist-imperialist states where a large section of the people being politically less mature, suffer from the illusion that the bourgeois parliament may still work as an "instrument of people's will" (an illusion that is being attempted to keep alive among the people by the bourgeoisie and the Khrushchevite Communists) and where the left oppositional forces and particularly the revolutionary forces are weak, the fascist party, with the backing of the bourgeois State machinery, may at times try to capture the parliament, consolidate and centralise power in the parliament with the help of brute majority, intimidation and threat and thereby try to establish dictatorship in the "constitutional" form. But the bourgeoisie, do understand it well that as an instrument, the Parliament, a political superstructure erected to serve them in the pre-monopoly era of competitive capitalism, is inadequate to fully serve their interest in the era of monopoly-capitalism. It was for this reason that Comrade Shibdas Ghosh, our beloved leader and teacher, while exposing the bankruptcy in the thought of the revisionists that found its glaring expression in the concept of establishing socialism "by transforming bourgeois parliament

into the instruments of people's will" once observed, "Even in countries with long parliamentary tradition, parliamentary democratic rights and privileges are being gradually curtailed. Even to the bourgeoisie parliament is fast losing its utility."

So, it is quite usual that the fascists, after the capture of the parliament, may frame suitable Acts following constitutional measures to concentrate power in the hand of the Executive organ headed by the Chief Executive and then their main purpose being served, abandon and leave the parliament as a defunct body.

This might remind any one of a similar phenomenon that happened in Germany where the Nazis headed by Hitler, after capturing supreme power, through enactment of the Enabling Act, for all purposes, made Reichstag a defunct body and did never hold its session throughout the entire lifetime of the Third Reich. But neither the constitution was abrogated nor the legislature was dissolved so the Nazis could base the "legality" of their fascist rule on the constitution.

However, at present, the ruling bourgeoisie has become more clever. To maintain the 'signboard of democracy' still shining and thereby confuse the democratic minded people of the country, the parliament is no doubt kept functioning, but it is stripped of its former status and power, and transformed into a mere deliberating body under the control of the executive organ headed by the Chief Executive. The different suggestions that are being put forward in different countries will clearly testify the said intention of the ruling bourgeoisie. A serious scrutiny of all those proposals, in the background of the hue and cry that is often raised claiming "supremacy of the parliament" reveals an attempt to give a democratic colour to the ulterior motive to bring about suitable enactments and amendments enabling

concentration and centralisation of power.

The fascists stripped off the judiciary its traditional status and power

But even the attack on the elected legislature may appear feeble in comparison with the naked aggression that the fascists conspire or the mighty blow they direct against the judiciary. With the object of not only to demolish even the last traces of minimum opposition from any quarter, rather on the contrary to fully control and direct all the organs of the bourgeois constitution, for realising their interest nakedly, the fascists strip off the judiciary its traditional status and power and transform the once cherished "free and independent judiciary" of the bourgeoisie into an appendage of the Executive organ headed by the Chief Executive. Perhaps none has yet forgotten that a "committed judiciary", i.e. a judiciary committed to the cause of the fascists was once the slogan of the Nazis in Germany.

Now, the different steps or moves that are being taken or proposed in different countries of the capitalist-imperialist world bring about changes in to the traditional status and power of the judiciary, make it clear that the judiciary may not have any more the right to give any protection to individual against any arbitrary action of the State, nor may it have any more the power to enforce fundamental right, right to personal liberty and freedom—a power that the judiciary so far has at least in black and white formally enjoyed in all the bourgeois countries, in spite of various differences that exist in the detail of the constitutional framework from one bourgeois country to the other. The right to declare enactments to be valid if they are not consistent with the basic rights for obvious reason may be curtailed. The attempted move in different countries to strip off the traditional right of the judiciary to give protection

to an individual against arbitrary arrest and detention, is being taken in conformity with the growing move to negate democratic and fundamental rights.

The judiciary may also become deprived of the power, hitherto enjoyed in some countries, to review any enactment or amendment of the constitution. But that does not mean that the legislature will then be the supreme body with unquestionable and unchallengeable power to make any act or make any amendment. Because that cannot be. Being in a subordinate position with respect to the executive, legislature can no more enjoy such an authoritative status. So the, power of review may be still there; because the ruling bourgeoisie cannot afford to relinquish the power to review whether the enactments conform to their class interest. Only the authority is changed. The power may be transferred from the judiciary to the executive or to any other suitable body under the control of executive vis-a-vis the party in power.

Moreover, a judiciary completely stripped off its traditional powers but in a sense still independent of the executive may not sound good to the ruling bourgeoisie of the present era. And it is for this reason that in different capitalist-imperialist countries moves are being taken to bring the judiciary under the control of the Chief executive vis-a-vis the party in power, either directly or indirectly.

Bourgeoisie once observed that those were the evil days when judges took their orders from the executive

It is no doubt a satire of history that once the bourgeoisie observed; "Those were the evil days when the judges took their orders from the executive" (Denning); and now the bourgeoisie themselves are transforming the judiciary, some apprehend, into

"mice squeaking under the Home Minister's chair" (Justice Staple).

In the above elaboration an attempt has been made to throw light on the repatterning of the bourgeois constitution that the ruling bourgeoisie in different capitalist-imperialist States in the present era are aiming at for concentration and centralisation of power. It is quite likely that one may find interest to search for the reason and the logic that are generally publicly put forth by them in favour of such repatterning of their constitution.

It is often being told that the judiciary with the traditional status and power that it enjoys in a bourgeois republic and the power of judicial review, vis-a-vis the judicial right to declare any enactment as void, impedes economic justice—they stand in the way of introducing various "economic and other measures" stated to be planned for giving relief to the toiling, exploited people of the country. This of course a catchy slogan and there is every likelihood that politically less matured people may fall victim to it.

Firstly, it is not a fact that the power to review is being proposed to be abrogated. This power is still suggested to be there. Only it is being suggested to be transferred from the judiciary to an organ or a body under the direct supervision of the Chief Executive, and therefore, the ruling bourgeois party in power. So had there been even any least difficulty in fulfilling the desire and interest of the ruling bourgeoisie in the traditional set up in the past, it would not be there any more in future.

No measure however 'silvery' in its lining can ameliorate the sufferings of the common people within the framework of capitalism

Most often the people in the different capitalist-

(Contd. to Page 8)

BOURGEOIS DEMOCRACY— PAST AND PRESENT

(Contd. from Page 7)

imperialist States are persuaded through constant propaganda and publicity to believe that various economic measures and reliefs, the speedy implementation of which may necessitate as is usually observed, repatterning of constitution—if implemented in practice will work as a panacea of all ills from which they are suffering. Hitler's 25-point programme may be cited as a glowing example. One thing that the people of course understand is that, no measure however, 'silvery' its lining may appear, can ameliorate the sufferings of the people within the socio-economic and political framework of capitalist State. It is the capitalist framework which is the basic cause of the sufferings of the exploited people in the capitalist-imperialist world. So, no basic remedy of their sufferings is possible through any economic or other measures, keeping intact the framework of the capitalist State. Talk of any such thing will sound simply as palliatives that the fascists often speak to confuse the people and thereby get their sanction and support to their desired aim and design to consolidate and centralise power in their hand. Another interesting fact is also being noted, now-a-days. These days in different countries all these fascistic measures are being taken in the name of fighting against and defending the country from the fascists. A funny thing indeed!

So, those who support the change of the constitution in the afore-said direction with the idea that the "bourgeois constitution should act as a weapon for bringing about transformation in the socio-economic political milieu", are either simpletons or enemy of the people who knowingly or unknowingly are being played in the hands of the fascists.

So far, attempts have been made to reflect on the

different aspects of the bourgeois constitution, the implication of the structure it once traditionally inherited in the course of history and the frame-work that it adopts in the present era of monopoly capitalism when fascism is a world wide phenomenon in the capitalist-imperialist world.

The deepening crisis of the capitalist economic system which is facing a world-wide crisis and depression has necessitated the centralisation of their economy and centralisation and concentration of political power by the bourgeoisie. The different attempts of enactments and amendments of the rule and constitution merely reflect this endeavour on their part. Whatever attempts may, however be there to bring about constitutional changes, any right thinking man in a bourgeois state will feel the necessity of preservation of democratic rights, political liberty and freedom, fundamental human rights with the guarantee of its enforcement, and rule of law as a guard against arbitrary absolute power. They may feel that in a bourgeois state, if the judiciary is stripped off its traditional status and power and ceases to remain free and independent of the executive organ then the rule of law will collapse and the fundamental rights even if it still remains formally inscribed in the constitution, will then simply tantamount to a "historical parchment often seen in a glass-case". Despite the fact that the common man is sickened by 'laws delays' and the heavy burden of the cost of 'going-a lawing', in parliamentary democracy in any capitalist country, under no pretext and under no circumstances can the relative independence of the judiciary, its traditional status and power should be curtailed. Because, any curtailment of its status and power and infringement of its traditional right to function freely, will sound death-knell of whatever little de-

RED SALUTE TO COMRADE KRISHNA PRASAD GATAIET

Comrade Krishna Gataiet is no more.

On 8-3-76 last, while Comrade Krishna Prasad Gataiet, an old veteran worker of South 24-Parganas, SUCI, West Bengal, and an able organiser of Krishak O Khet Mazoor Federation (KKMF) was returning home after attending a meeting of SUCI, died instantaneously on the way by a heart attack. He was 72

Being attracted at the historic resistance movement of the peasantry at the Sunderbans in 1953, under the leadership of SUCI against the large-scale eviction of share-croppers, Comrade Gataiet joined SUCI and was actively associated with the Party till his death. He was arrested

and detained on several occasions. During the momentous peasant-struggle throughout the Sundarbans in 1954 led by SUCI and the KKMF as well as in the historic Food Movement of 1959, he was an ardent fighter in the fore-front.

Comrade Gataiet was again arrested from the great Hunger March to Diamond Harbour where in the massive peasant rally, attended by our revered leader and General Secretary Comrade Shibdas Ghosh, police mercilessly lathi-charged and arrested many of our leaders including our beloved General Secretary.

Besides, Comrade Gataiet never missed any opportunity to associate himself intimately wherever the call of move-

ment came from the Party.

Coming as he did from a very poor family, a dedicated revolutionary as he was, private life never posed a great problem to him and from his very beginning of joining the Party, he not only learnt through complex struggles how to merge one's self with the interest of the Party, but at the same time he imbibed his family members, through exemplary way of life to be associated with the Party. In his death, Party has lost a dedicated peasant organiser no doubt.

In respectful memory of Comrade Gataiet, in South 24-Parganas District Office of SUCI and in all other Offices under it, red banner was flown half mast.

Censor Can't Stifle All Dissent

(Contd. from Page 1)

not for the censor to inject into this the lifelessness of forced conformity.

The judgement has been given by Justice D. P. Madon and Justice M. H. Kania on an appeal filed by Mr. Binod Rao, Press Advisor to the Government of Maharashtra against the decision of Justice R. P. Bhutt setting aside Mr. Rao's orders dated July '5, 1975 prohibiting publication of articles, reports, letters and quotations totally eleven, intended for publication in the August 1975 issue of the monthly journal "Freedom First" edited by Mr. M. R. Massani former M. P.

...The judges held that which was suspended under article 358 on making of a proclamation of Emergency are not the rights mentioned in Article 19 (1) but the restrictions upon the power of the state to make laws or to take executive action inconsistent with those rights.....

democratic rights and political liberty of the people now exist in the capitalist-imperialist world and there by only help accelerate the rise of fascism.

The judges said that the right to Freedom of speech and expression mentioned in Article 19 (1) (a) is not a right created or conferred for the first time in the laws of India by Article 19 (1) (a).

It is a right under Common Law of England which has been recognised and enforced by the courts in India prior to the coming into force of the constitution and it has been continued in force by the constitution.....

Proclamation of Emergency or Presidential Orders can't debar citizen from challenging legislative measures before the court of law

The judges said that in spite of the making of declaration of Emergency on December 3, 1971 and June 25, 1975 and the issuance of Presidential Orders under Article 359 (1) of the Constitution suspending the rights of all persons to make the court for the enforcement of the rights conferred by Article 14, 19, 21 and 22 the rule of law continue to prevail. The proclamation of emergency and the Presidential Order did not preclude a citizen from challenging

the validity of a legislative measure on a ground other than a contravention of Articles 14, 19, 21 and 22.....

The Tasks of the Youth Leagues

(Contd. from Page 5)

The Young Communist League must be a shock force, helping in every job and displaying initiative and enterprise. The League should be an organisation enabling any work to see that it consists of people whose teachings he perhaps does not understand, and whose teachings he may not immediately believe, but from whose practical work and activity he can see that they are really people who are showing him the right road.

If the Young Communist League fails to organise its work in this way in all fields, it will mean that it is reverting to the old bourgeois path. We must combine our education with the struggle of the working people against the exploiters, so as to help the former accomplish the tasks set by the teachings of communism.

(TO BE CONCLUDED)